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UNCLAS HARARE 001117

SIPDIS

DEPT FOR AF/PD (COX AND ROBERTSON), AF/S (KRAFT AND SCHLACHTER), AF/RA (DIPALMA), INR/R/MR

NSC FOR JENDAYI FRAZER

LONDON FOR GURNEY

PARIS FOR BISA WILLIAMS

NAIROBI FOR PFLAUMER

E.O. 12958: N/A

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SUBJECT: INDEPENDENT JOURNALISTS FACE TRIAL OVER "BEHEADING" STORY

SENSITIVE BUT UNCLASSIFIED -- NOT FOR INTERNET POSTING

1. (U) A magistrate in Harare has ruled that two of the three journalists arrested last week for violating the Access to Information and Protection of Privacy Act (AIPPA) must stand trial. American citizen Andrew Meldrum, local correspondent for the "Guardian," and "Daily News" reporter Lloyd Mudiwa are free on what amounts to a personal recognizance bond (no bail), but will have to return to court on May 22. Mudiwa is accused of writing a false story about a woman allegedly beheaded by ruling party supporters. Meldrum is charged with repeating the story in the "Guardian." Both acts are illegal under Section 80 (1) b of the AIPPA. The magistrate dismissed similar charges against another "Daily News" reporter, Colin Chiwanza.
2. (U) In a related development, on May 7 "Daily News" columnist Pius Wakatama was detained and questioned by police in connection with an opinion piece he wrote about the alleged beheading. Wakatama was "warned and cautioned" and released on his own recognizance. He will likely have to appear in court later this month on charges of violating AIPPA.
3. (U) One of the laws being used against journalists, AIPPA (the other is the Public Order and Security Act -- POSA), faces a legal challenge. Jan Raath (correspondent for Times Group of Newspapers of London, South Press Association and Newsweek), Andrew Meldrum (The Guardian) and Peta Thornycroft (Daily Telegraph) have filed a suit that seeks to have certain sections of the AIPPA declared unconstitutional.
4. (SBU) Comment: This flurry of legal activity is symptomatic of the continuing pressure the Government of Zimbabwe is bringing to bear against the privately owned and international media. The draconian AIPPA and POSA give the GoZ a remarkably broad array of options for harassing and intimidating the media. In interviews and opinion pieces over the May 3-5 weekend, Minister Moyo made clear his attitude toward independent journalists and his intention to bring them into conformity with his view of the appropriate role of the media. In a television interview, Minister Moyo said that the people arrested in connection with the "beheading" story were "criminals," not journalists. He went on to say that the government's action in this case offered proof that Zimbabwe is determined to apply the rule of law "even to Americans."
5. (SBU) Comment continued: Government-owned May 3-5 weekend newspapers were full of news reports and opinion pieces supporting Minister Moyo's Orwellian view of press freedom. News articles about police investigations into "false" stories were joined by opinion pieces calling for the ban of independent newspapers. If we were more cynical, we would suspect Minister Moyo of colluding with the US-based Committee to Protect Journalists (CPJ) to provide concrete evidence of CPJ's May 3 assessment that Zimbabwe is one of the world's 10 worst places to be a journalist. End comment.

SULLIVAN